

Applicants : Barry W. Hutzet et al.  
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**Remarks:**

The amendments and remarks presented herein are believed to be fully responsive to the Office Action dated January 5, 2010, the period for response being extended via the attached petition and fee for a one month extension of time.

Claims 1-10, 15, 17, 20-22, 32, 58-60 and 62-68 are pending in the application. Claims 11-14, 16, 18, 19, 23-31, 33-57, 61 and 69-86 have been canceled without prejudice and claims 1, 17, 21, 58, 60 and 62 have been amended as set forth above. The specification has been amended to update several incorporated patent applications that have now issued as patents. The amendments are fully supported in the specification and drawings as originally filed. No new matter has been added.

**CLAIM REJECTIONS**

Claims 1-4 and 7-10 were rejected under 35 U.S.C. §102(e) as being anticipated by Baratono et al., U.S. Patent No. 6,889,064 ("Baratono"), while claims 5 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Baratono. Claims 12 and 13, 15, 17, 20-22 and 58-68 were rejected under 35 U.S.C. §103(a) as being unpatentable over Baratono, in view of Bertagna, U.S. Patent Publication No. 2001/0043455.

Applicants respectfully traverse the rejections under 35 U.S.C. §102 and §103. However, and without acquiescing in the rejections in any manner and solely to expedite prosecution and allowance of the claims, Applicants have clarified independent claims 1 and 58 and submit that the present claims are in condition for allowance for at least the reasons set forth below.

Applicants have amended independent claim 1 to clarify that the video display screen is extended and retracted in response to a drive system and that the drive system comprises one of a linear actuator, a solenoid device, a rack and pinion device, a non-armature electrical motor, a shape memory alloy device, an electrically induced stress-strain device and a

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bio-material. The video display screen is extended toward the use position in response to a signal indicative of an engagement of the reverse gear of the vehicle, and the video display screen is retracted toward the non-use position in response to a signal indicative of a disengagement of the reverse gear of the vehicle. Independent claim 58 has been clarified in a similar manner.

With respect to the rejection of independent claim 1, Applicants submit that Baratono, either alone or in combination with Bertagna or any other prior art of record, does not disclose, suggest, anticipate or render obvious the presently claimed invention. Baratono discloses a combined rearview mirror and telephone that provides an opening in a sidewall of the mirror housing in which a portable telephone or display device may be inserted. The telephone or display device may be slidably disposed in the pocket and may be removed from the pocket. There is no disclosure or suggestion in Baratono of a video display screen that is extended and retracted in response to a drive system and wherein the drive system comprises one of a linear actuator, a solenoid device, a rack and pinion device, a non-armature electrical motor, a shape memory alloy device, an electrically induced stress-strain device and a bio-material. Nor is there any disclosure or suggestion in Baratono of such a video display screen being extended toward a use position in response to a signal indicative of an engagement of the reverse gear of the vehicle, and being retracted toward a non-use position in response to a signal indicative of a disengagement of the reverse gear of the vehicle. To the contrary, Baratono discloses that the video screen viewer may be slidably removed from the pocket by the user and may be interchangeable with a portable telephone.

Bertagna merely discloses a video display positioning system that pivots a video screen in a roof of an aircraft to a viewing position when the system is activated. There is no disclosure or suggestion in Bertagna of an interior rearview mirror system for a vehicle comprising a casing, a reflective element and a video display screen slidably mounted at the casing and *slidable in a direction generally parallel to the length axis of the reflective element* between a non-use position, wherein the video display screen is positioned substantially within the mirror casing, and a use position, wherein the video display screen is substantially extended

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from a side of the mirror casing for viewing by an occupant of the vehicle. Nor is there any disclosure or suggestion in Bertagna of such a video display screen being extended toward a use position in response to a signal indicative of an engagement of a reverse gear of the vehicle, and being retracted toward a non-use position in response to a signal indicative of a disengagement of the reverse gear of the vehicle. To the contrary, Bertagna merely discloses a video display of an entertainment system that pivots downward for viewing when the entertainment system is activated, all in the context of an entertainment system in the likes of an airplane.

Thus, Applicants submit that Baratono, either alone or in combination with Bertagna or any other prior art of record, does not disclose, suggest, anticipate or render obvious the interior rearview mirror system of the present invention, particularly as set forth in independent claim 1. With respect to rejection of dependent claims 2-10, 15, 17, 20-22 and 32, Applicants submit that Baratono, either alone or in combination with Bertagna or any other prior art of record, does not disclose, suggest, anticipate or render obvious the claimed invention of these claims for at least the reasons set forth above. Likewise, with respect to the rejection of claims 58-60 and 62-68, Applicants submit that submit that Baratono, either alone or in combination with Bertagna or any other prior art of record, does not disclose, suggest, anticipate or render obvious the accessory system of the present invention, particularly as set forth in independent claim 58 and the claims depending therefrom

Accordingly, Applicants submit that Baratono, either alone or in combination with Bertagna or any other prior art of record, does not disclose, suggest, anticipate or render obvious the interior rearview mirror system or accessory system of the present invention, particularly as set forth in independent claims 1 and 58 and the claims depending therefrom. Thus, Applicants respectfully submit that Baratono, either alone or in combination with Bertagna or any other prior art reference of record, does not disclose or suggest or render obvious to one of ordinary skill in the art the combination of features that collectively and combined together constitute the claimed subject matter of the interior rearview mirror system or accessory system as set forth in claims 1-

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10, 15, 17, 20-22, 32, 58-60 and 62-68. Reconsideration and withdrawal of the rejections of claims 1-10, 15, 17, 20-22, 32, 58-60 and 62-68 is respectfully requested.

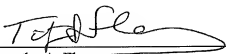
Claims 1-10, 15, 17, 20-22, 32, 58-60 and 62-68 remain pending in the application. Applicants respectfully submit that claims 1-10, 15, 17, 20-22, 32, 58-60 and 62-68 are in condition for allowance and a notice to that effect is earnestly and respectfully requested.

Respectfully submitted,

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By: Van Dyke, Gardner, Linn & Burkhart, LLP

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